

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 16, 2022

SEAN F. MCAVOY, CLERK

U.S.A. vs. Woody, Jason Vern Docket No. 0980 1:22CR02083-MKD-1

Petition for Action on Conditions of Pretrial Release

COMES NOW Linda J. Leavitt, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Jason Vern Woody, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge Alexander C. Ekstrom, sitting in the court at Yakima, Washington, on the 25th day of August 2022, under the following conditions:

Standard Condition #8: Defendant shall refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On August 25, 2022, the conditions of pretrial release supervision were reviewed verbally with Mr. Woody. On August 31, 2022, Mr. Woody reviewed his conditions of release again and signed, acknowledging an understanding his conditions.

Violation #1: Mr. Woody is alleged to be in violation of his pretrial release by consuming methamphetamine on December 6, 2022.

On December 7, 2022, Mr. Woody attended his substance abuse assessment appointment at Merit Resource Services (Merit). During the appointment Mr. Woody submitted a random drug test, which tested presumptive positive for methamphetamine. According to Merit staff, Mr. Woody stated he was in a vehicle with people who were consuming methamphetamine. The urine sample was sent to Cordant Laboratory for confirmation. Results were received from Cordant Laboratory on December 15, 2022, confirming a positive result for methamphetamine.

On December 12, 2022, Mr. Woody left this officer a voice message stating on December 6, 2022, the pipes in his home froze and when he was outside he "found a piece of pipe and smoked it." He further stated he did not know why he smoked it, "he just did." After Mr. Woody left the voice message, this officer attempted to contact Mr. Woody, numerous times throughout the day via telephone and text message on December 12, 2022, without success.

On December 13, 2022, this officer again attempted to contact Mr. Woody several times in the morning via text message and telephone. Mr. Woody finally contacted this officer on December 13, 2022, advising he was sick, he had been sleeping for "days" and "slept through the telephone calls." This officer directed Mr. Woody to report to the probation office on December 14, 2022, for a random drug test. Mr. Woody reported to the probation office as directed on December 14, 2022, and submitted a negative drug test. The urine sample was sent to Abbott Laboratory to test for fentanyl. Mr. Woody signed a drug use admission form admitting to consuming methamphetamine on December 6, 2022.

On December 15, 2022, this officer made telephone contact with Mr. Woody's counselor at Merit. She advised Mr. Woody attended group as directed on December 13, and December 14, 2022. She further shared Mr. Woody's relapse will be addressed in treatment.

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Mr. Woody expressed a desire to continue to better himself and follow all treatment recommendations. He understands the consequences of any similar behavior may ultimately result in going before the Court. He was encouraged to make good choices that will place him back on the successful track he was on. Therefore, this officer respectfully recommends no action be taken at this time. Should Mr. Woody continue to violate any of his conditions of pretrial release, he will be referred to the Court for corrective action.

PRAYING THAT THE COURT WILL TAKE NO ACTION AT THIS TIME

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: December 16, 2022

by s/Linda J. Leavitt

Linda J. Leavitt
U.S. Pretrial Services Officer

THE COURT ORDERS

- ☒ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

December 16, 2022

Date